



Town of Cheswold
Minutes of the Monthly Town Council Meeting
Monday – May 7, 2018
6:00 p.m.
Cheswold Town Hall
691 Main Street
Cheswold, Delaware 19936

ORGANIZATIONAL MEETING - “continued”

The 2018-2019 Town of Cheswold Town Council Organizational Meeting was continued from last month’s Town Council meeting, as a result of Mr. Larence Kirby and Ms. Theon Callender having been excused from that meeting. The meeting was called to order by Mayor Robert Sine at 6:00 pm. He followed by leading the attendees in the Pledge of Allegiance, followed by a Moment of Silence.

Introduction of Council Members to be Re-Instill

Mr. Sine introduced Mr. Larence Kirby as a former Councilperson and Vice Mayor and Ms. Theon Callender as a former Councilperson and Secretary/Treasurer..

As there were an insufficient number of candidates registered for the open positions for Councilpersons, an election was not held.

Swearing-In of Councilpersons

Mayor Sine proceeded to swear in Mr. Kirby and Ms. Callender as a Council Members for the Town of Cheswold for the next two years.

Appointment of Town Council Positions

Mayor Sine then appointed Mr. Kirby to the position of Vice Mayor and Ms. Callender to the position of Secretary/Treasurer. Additionally, he requested Ms. Callender to continue in the position of Town Administrator and Land Use Administrator.

MONTHLY TOWN COUNCIL MEETING:

The following persons were in attendance:

Mayor Robert Sine
Vice Mayor Larence Kirby
Secretary/Treasurer Theon Callender
Councilperson Judy Johnson
Councilperson Santo Faronea
Councilperson Mark Moxley

Police Department: Chief Christopher Workman
Town Employees: Town Clerk-Shadina Jones
Residents: 0

Planning Commission: 0
Code Enforcement Officer-Mike Callender
Property Owners: Mr. Calvin Anderson

TOWN of CHESWOLD

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NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 18, 2017, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on April 30, 2018. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Sine, at 6:10 pm

PROPERLY POSTED: Based on the dates of the posting of the meeting and the agendas, Mayor Sine acknowledged that the meeting had been properly posted.

ROLL CALL:

The Mayor requested Secretary/Treasurer Callender to conduct a roll call of Council members and attendance was confirmed as noted above. A quorum of members was presented to the Mayor and the meeting continued.

AGENDA REVIEW:

Mayor Sine requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

A motion to accept the agenda as presented was made by Vice Mayor Kirby and seconded by Councilperson Johnson. A roll call vote on the motion resulted in a unanimous vote to approve.

REVIEW of PEVIOUS'S MONTHS MEETINGS:

Mayor Sine requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

The minutes to be reviewed were as follows:

April 2, 2018 - Monthly Town Council Meeting

A motion to accept the Monthly Town Council minutes, as presented was made by Councilperson Johnson and Councilperson Moxley made a second to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve.

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TREASURER'S REPORT:

The Vice Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Report:

- a. The Treasurer's Reports for the **Month of April, 2018**, is as follows:

Monthly Cash Flow Comparisons	
TOWN of CHESWOLD	April, 2018
Cash Receipts	
Cash Disbursements	
Negative Monthly Cash Flow	(\$ 16,137.97)
ADMINISTRATION	April, 2018
Cash Receipts	\$ 15,512.54
Cash Disbursements	\$ 10,366.62
Positive Monthly Cash Flow	\$ 5,145.92
POLICE DEPARTMENT	April, 2018
Cash Receipts	\$ 4,885.68
Cash Disbursements	\$ 21,023.65
Negative Monthly Cash Flow	(\$ 16,137.97)
PUBLIC WORKS	April, 2018
Cash Receipts	\$ 16,270.36
Cash Disbursements	\$ 17,310.05
Negative Monthly Cash Flow	(\$ 1,039.69)

- c. The Treasurer's Report, **(Account Balances)**, for the **Month of April**, is as follows:

As of:	April, 2018
Capital Account	\$ 30,236.15
Cheswold Heritage Day Account	\$ 3,689.27
Eide Grant Fund Account	\$ 3,718.21
Fire Company Account	\$ 41,224.44
General Fund Account	\$ 208,559.28
Land Use Applicant's Account	\$ 30,934.34
Litigation Account	\$ 8,958.17
Municipal Street Aid Account	\$ 42,484.59
Salle Grant Fund Account	\$ 964.79

A motion to approve the Treasurers Report was made by Councilperson Moxley and Councilperson Johnson made a second to the motion. A roll call vote on the motion resulted in a unanimous vote to approve.

- d. **Requisitions -**

Req. #	Department	Vendor	Item	Amount	To Be Paid By
R8-00061	Police Dept.	Major Police Supply	Emerg. Equip.-Charger	\$4,116.18	CJC Grant/Donation

- e. **Proposed Purchases -**

P.O. #	Department	Vendor	Item	Amount	To Be Paid By
NOTHING TO REPORT					

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TAX COLLECTOR'S REPORT

a. Month of April, 2018

TAX REPORT: FISCAL YEAR 2017 – 2018

Total Amount Billed: \$142,672.80

Payments as of:

Current Year: Past Due Paid:

07/31/2017	\$ 13,625.28	\$ 672.75
08/31/2017	\$ 99,039.63	\$ 1,467.92
09/30/2017	\$ 4,294.26	\$ 485.02
10/31/2017	\$ 649.17	\$ 66.41
11/30/2017	\$ 665.33	\$ 69.50
12 /31/2017	\$ 1,402.90	\$ 626.53
01/31/2018	\$ 139.20	\$ 15.80
02/29/2018	\$ 536.46	\$ 43.75
03/31/2018	\$ 4,301.27	\$ 838.53
04/30;2018	\$ 448.31	\$ 133.70

The Tax Report was accepted by the Mayor and Council as presented.

Mayor Sine asked if any progress was being made on the collection of back taxes due and Town Clerk Jones responded that she is waiting to hear from Town Attorney Townsend.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

The following is information received from the Police Department Report submitted to the Mayor and Council prior to the meeting:

DelTech Homeland Security and Criminal Justice Career Day

Members of the Cheswold Police Department participated in the Career Day event held at DelTech Terry Campus on April 19th, from 10 am – 1 pm. Officers met with students and potential candidates for law enforcement positions, along with representatives from other Federal, State and Local Law Enforcement agencies.

DEA Take Back Day

DEA Take Back Day was held on Saturday, April 28th, and the Cheswold Police Department collected 108 lbs of unused prescription drugs for destruction. The next DEA Take Back Day is scheduled for a day in October, 2018.

If you have unused prescription drugs to get rid of and don't want to hang onto them until October, the Smyrna and Dover PDs, have drop boxes located in their lobbies. Please do not discard unused prescription drugs or pills into drains or toilets and do not give your unused prescriptions drugs to others. They could have drug allergies or other ailments of which you are unaware and could be held responsible should something adverse occur.

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POLICE DEPARTMENT REPORT – “continued”

Click It or Ticket It

The month of May is the Office of Highway Safety “Click It or Ticket It” Month – Officers in conjunction with the OHS, will be out and making sure drivers are operating their vehicles with seatbelts on May 4th through May 28th.

Habitat for Humanity Motorcycle Ride

On June 24th, Delaware’s Habitat for Humanity Hammer Down Motorcycle Charity Ride will take place and will leave Smurna, American Legion Post 14, around 12 pm. This year the ride will pass through Cheswold. The route will take the ride through the intersection of Main and Commerce Streets and continue south on Commerce St., through and out of Town. The ride should be passing through around 12:15 – 12:30 pm. The Department will remind the residents of Town of this event as it gets closer. For further information on the ride, please see: www.centraldelawarehabitat.org

Building Plans

Over the past six months, the Police Department has reached out to a couple of vendors to provide a layout and cost estimate for a new Police building. These quotes have been forwarded to the Town Administrator and was brought up and distributed to the Mayor and Council.

The Chief informed the Mayor and Council that the overall cost of Police Department building would be approximately \$300,000 and that he estimates for modular buildings at \$148,000 and \$130,000. The additional costs are related to furniture, equipment and security materials.

New Dodge Patrol Vehicle

The new Dodge has been completed. All emergency lights and interior equipment have been installed with a portion of the funding having been obtained from the 2016 Criminal Justice Byrne Grant and the remainder from donations and Town funds.

2010 Ford Crown Victoria

All emergency equipment has been stripped from the vehicle and the decals need to be removed.

NOTE: The report indicated that the Council would be requested to approve the sale of the vehicle. However, that did not occur in this meeting.

Training

Chief Workman will be attending the Delaware Police Chiefs Annual Training Seminar in Ocean City, MD, from Monday, May 14th through Wednesday, May 16th.

Corporal Susan Kline will be attending the third class of her trilogy of leadership classes presented by the CJC and Capital Police, from Monday, May 14th through Friday, May 18th.

Walmart Grant

The Cheswold Police Department received \$1,750.00 from Walmart’s Community Block Grant, to purchase educational items and giveaways for community and police events in and around our Community.

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POLICE DEPARTMENT REPORT – “continued”

Delaware Police Chiefs Foundation, Inc.

Chief Workman has been elected as the 2nd Vice Chairperson of the Delaware Police Chiefs Foundation, Inc. The Chief has served as the Chairperson for the Delaware Police Chiefs Foundation since, 2016, and will now join the Executive Board, along with continuing to chair the Golf outing. The Chief will be sworn in with the other Executive Board members at the monthly meeting in May.

The Delaware Police Chiefs Foundation is a non-profit organization pledged to increase public awareness, involvement, and support for the activities of the Delaware Police Chief Council, directed at improving the delivery of police services through police executive development, enhanced operation among police agencies, and promotion of standardization and accreditation within police departments.

Town/Police Department American Flag

On Thursday, May 3, 2018, Officer William Smith of the Pentagon Police Department, while on the way to work, replaced the tattered American flag from the Cheswold Town Hall flag pole and replaced it with a new American flag. He took the Cheswold flag and flew over the Pentagon in Arlington, VA, on May 3, 2018.

He then presented the flag in a case and a certificate that states:

**“In Recognition of the Men and Women of the Cheswold Police Department
this Flag is presented for Retirement and Display!”**

Our thanks to Officer Smith and the Pentagon Police Department for this honor. Cheswold Officers and the Town Administrator have been invited to visit the Pentagon with Officer Smith for a tour of the facilities, in the near future

Traffic Summons

Officers issued 223 traffic summons during the month of April.

Monthly Activity Report

Officers responded to or completed reports for 115 incidents for the month of April. A total of eight, (8), incidents were handled by outside agencies after hours or not dispatched.

Monthly Incident Report – April, 2018

911 Disconnects = 5	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 0	Relay = 0
Accidents-PD = 1	Fugitives = 10	Repossessions = 0
Accidents PI= 1	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 3	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 1	Loud Party = 1	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 0	Megan's Law = 1	Stolen Vehicle = 0
Assist Other Agencies = 16	Mental Patient = 0	Suspicious Noise = 0

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BOLO = 1	Misc. Investigation = 0	Suspicious Person/s = 2
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 2
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 0	Thefts = 5
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 1	Open Door/Window = 0	Traffic Hazard/Service = 1
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 28
Criminal Mischief = 1	Overdose = 0	Trespass = -0
Curfew = 0	Parking Violation = 0	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 3	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s - Abandoned = 0
Disorderly = 1	PFA Service = 0	Vehicle/s - Disabled = 0
Domestics = 4	PFA Violation = 0	Vehicle/s - Recovered = 0
Drugs = 9	Property Checks = 10	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 0	Warrant Service 0
DUI = 0	Public Assistance = 4	Weapon - Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 4

IF YOU DON'T CALL WHO WILL – CALL 9-1-1

The Police Department Report was accepted as presented.

PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender

- **Status Report**

	<u>PERMITS ISSUED</u>	<u>NEW VIOLATIONS</u>	<u>CLOSED VIOLATIONS</u>	<u>BUSINESS LICENSES ISSUED</u>	<u>BUILDING INSPECTIONS</u>
April, 2018	9	1	1	6	0

- **CODE ENFORCEMENT PROPERTIES**

- **30 New Street – PENDING: No Change.** Electric is disconnected. The Town is still awaiting a response from Town Attorney on the Sherriff's sale process and Council's demolition decision. A formal letter of certified mail was sent to the owners of the property. No further communication has been discussed.
- **33 New Street – PENDING: No Change.** All attempts to contact the owner, Doug Wiseman have been unsuccessful. There has been no contact or action from the owner regarding the Notice of Violation that has been mailed to the last known address this office has on file. The last notice of violation was sent by Certified Mail and has been returned to this office as unclaimed.
- **41 McKee Rd. – CLOSED:** On March 26, 2018, a Notice of Violation was issued, (hand delivered), to the property owner for parking violations on the premises. The property owner was given 15 days from the date of notice to have the inoperable vehicles removed and he drive cleaned or the vehicles will be towed. The majority of the vehicles were removed after a three day extension was granted, save for the camper, which was towed on Saturday, April 14th.
- **127 Parkers Run – COMPLETE** The property had a preliminary inspection to determine the scope of work and need of a permit for finishing the basement. The inspection has Determined that a permit is required. The plans have been reviewed, approved and a permit has been issued.

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PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender “continued”

- **CODE ENFORCEMENT PROPERTIES**

- **179 Commerce Street – ONGOING:** This property demolition phase has been completed and is now entering the reconstruction phase. The contractor has acquired all the necessary paperwork to submit for a Business License and Building Permit. Plans have been drawn up and submitted to the Town Building Official for review.
- **Town Hall – COMPLETE:** The kitchen area has been completed with the plumbing and new sink installed. New security door locks have been installed in the Town Hall and are currently operable.

- **PUBLIC WORKS ISSUES**

- **Construction Repairs – Main St., (Rte. 42), Sidewalk – PENDING:** There has been no further correspondence of which this office is aware regarding the sidewalk across from the Post Office, that requires repair. The Town continues to await a response from DelDOT and State Representative Trey Paradee.
- **Town Truck – Purchase Request:** The Town truck will be in need of new tires very soon, (LT 26570 R17). EP Performance provides maintenance on the Town’s Police vehicles and has provided a quote of \$704.24, which includes the tires at \$143.56 ea.; and an installation fee of \$28.00 ea.; and a \$4.50 ea. disposal fee of the old tires.

NOTE: *At this time this is the only estimate that has been acquired.*

The truck also requires a jack kit. Only a partial part of the original kit could be located. They range in price from \$66.99 for an entire kit from Amazon; or \$61.99 ea., for the lug kit and jack at \$123.96 from Autozone.

Chief Workman suggested getting an estimate from Mr. Tire as they are the contractors for the State.

Vice Mayor Kirby made a motion to authorize a maximum expenditure of \$800.00. Mrs. Callender made a second to the motion and it passed with an unanimous roll call vote.

HUMAN RESOURCES REPORT – Town Clerk Shadina Jones

- **Employment Status Change** – Ms. Jones informed the Mayor and Council that Mr. Michael Callender has accepted the full time position that was approved by them, for him, in the 017 -2018 Budget meeting.
- **Position Title Change** – Ms. Jones asked the Council to approve an additional title assignment for Mr. Callender. She explained that he has done an awesome job in his current position as Code Enforcement Officer, but he is better qualified to serve as the Public Works Director, and in that position, it will be functionally efficient and effective for Roger Workman, our Maintenance Technician to report to Mr. Callender.

A motion was made by Vice Mayor Kirby to approve the additional title assignment and with a second from Councilperson Johnson, the motion passed with an unanimous roll call vote.

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HUMAN RESOURCES REPORT – Town Clerk Shadina Jones “continued”

- **New Employee Hire** - At the suggestion of Mayor Sine and Town Administrator Callender, Ms. Jones has interviewed Ms. Marie Lyzett Ayala for the position of Administrative Clerk. The position is required to provide the opportunity for Ms. Jones to begin acquiring the skills, experiences, and information to transition and be ready to assume the responsibilities of Town Administrator after Ms. Ayala becomes sufficient in providing the duties of the Town Clerk.

Vice Mayor Kirby asked if the position will be full or part time. Ms. Jones answered that it will be full time. Councilperson Johnson inquired as to the pay rate and Ms. Callender responded that it will be \$14.00 per hour.

A motion was made by Councilperson Johnson to approve the hire of Mr. Lyzett Ayala as Administrative Clerk reporting to Town Clerk Shadina Jones. A unanimous roll call vote approved the motion after the receipt of a second from Councilperson Moxley.

Planning Commission Report – Land Use Administrator Sam Callender

- 2020 Comprehensive Plan** – Ms. Callender reported that she forwarded the 2010 Comprehensive Plan to the Office of State Planning Coordination for a Pre-Plus Review in preparation for the creation of the 2020 Comprehensive Plan, as required by the Planning Commission. She informed the Mayor and Council that she is scheduled to attend the Pre-Plus Review to represent the Town, on April 23, 2018, at 11:00 am, in the Hazlett Building on the Green and anyone desiring to attend may do so.
- PC Memo 18-001** Review and vote on Planning Commission recommendation to approve the Preliminary Plan Application #2018-02-16-062 for the expansion of the parking lot of the Cheswold Fire Company located on the south side of Main Street, opposite the Fire Company, Map ID 3-03-04611-01-1700-00-001.

A motion was made by Vice Mayor Kirby to approve Application #2018-02-16-062, as recommended by the Planning Commission in their PC Memo 18-001. Councilperson Faronea made a second to the motion and it passed with a unanimous roll call vote of the Council.

- PC Memo 18-002** Review and vote on Planning Commission recommendation to approve the Preliminary/Final Plan Application #2018-03-26-063 for the replacement of the Salt Barn located in the DelDOT Maintenance Yard, at 4275 Seven Hickories Road, Cheswold, Delaware, Map ID 3-03-04615-01-0100-00-000.

A motion was made by Councilperson Faronea to approve Application #2018-03-26-063, as recommended by the Planning Commission in their PC Memo 18-002. Councilperson Johnson made a second to the motion and it passed with a unanimous roll call vote of the Council.

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Old Business:

a. Status of Pending Projects:

1. Town Charter Update – Councilperson Kirby

Section 6.2.4 – Filling Vacancies

From: Filling Vacancies

To: Filling Vacancies of Council Appointed Officers

Section 6.2.4 – Filling Vacancies of Council Appointed Officers

From: If a vacancy shall occur in the office of any officer elected by the Town Council, the Council shall fill such vacancy for the unexpired term by a person qualified to fill the post.

To: If a vacancy shall occur in the office of any officer appointed by the Mayor and approved by the Council, the Council shall fill such vacancy for the unexpired term by a person qualified to fill the post.

A motion to approve the suggested above revisions to the Charter were made by Councilperson Moxley with a second from Councilperson Callender. A unanimous roll call vote of the Council resulted in the passage of the motion.

17. New Business

- a. Proposal to Purchase Town Owned Lane –** Mr. Calvin Anderson, an Old Town property owner expressed his desire to purchase a lane that runs between 151 and 179 Commerce St. He explained that he owns the 3 homes located on one lot and addressed as 157; 163 and 167 Commerce. He has renovated one of the buildings and is in the process of evicting clients from one of the others. His long-term plan is to fence and landscape the property. He would also like to purchase the lane that runs between and behind the buildings for the purpose of providing parking spaces for his tenants for \$1,000.00. He is willing to pay survey and filing costs and lot line adjustment processing costs.

Mrs. Callender interjected that the lane that runs along side 151 Commerce St., has been used for an interminable amount of time by the Caldwell family and they may think that it is part of their property. She suggested that a letter be sent to them informing them of the intent of the Council to sell the lane, if it so decided, and provide them an option to buy, with a requested response of two weeks. If they do not respond, then the Council will proceed with the sale to Mr. Anderson. It was agreed to go forward with this process.

18. Community Comments/Concerns – Nothing to Report

19. Council Member Comments

- **Vice Mayor Kirby** – *stated that there were 3 issues he wished to review:*
 - a. Habitat for Humanity** – *he has a meeting set with them to discuss the potential association with the Town*
 - b. DLLG** – *he encouraged Council members to give serious consideration to begin attending Delaware League of Local Governments Meetings when they re-start in September.*
 - c. Planning Commission Meeting** – *cannot attend this Thursday's Planning Commission Meeting, but will attempt to accompany Mrs. Callender to the Pre-Plus Review.*

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19. Council Member Comments – “continued”

- **Secretary/Treasurer Callender** – *expressed her thanks and appreciation to Town Clerk Shadina Jones, Public Works Director Callender and Chief Workman for their assistance in managing and administering the Town during her recent 2-1/2 month absence.*
- **Councilperson Johnson** – *provided an update on the status of the Cheswold Heritage Day celebration, scheduled for Saturday, August 4, 2018. She is in the process of acquiring her committee and already has several craft vendors committed to attend. She still needs food trucks and/or vendors, including the Immanuel Methodist Church who has been asked to sell hamburgers and hot dogs for their youth department. Also pending are activities for children. The Blood Bank and the Mobile Mammogram units have made commitments to attend if a minimum number of clients sign up. A dunk tank is also being sought.*
- **Councilperson Faronea** – *questioned the status of the vehicles removed from Commerce St. The Chief explained that only vehicles that were in operational violation could be legitimately removed. He also asked to be excused from next month’s meeting.*
- **Councilperson Moxley** – *volunteered to assist Mrs. Johnson with attempting to obtain a car club to present on Heritage Day. He too, asked to be excused from next month’s meeting.*

20. MAYOR’S COMMENTS – *Mayor Sine stated that it was nice to have Sam Callender back and encouraged her to pass on more of her assignments to Ms. Jones.*

21. Motion to Adjourn - At 6:45 p.m. Secretary/Treasurer Callender made a motion to adjourn and with a 2nd from Vice Mayor Kirby, along with an unanimous roll call vote, the meeting adjourned.

29 Del C 10004 Sec. (e) (2)....."The agenda shall be subject to change to include additional items, including executive sessions or the deletion of items, including executive sessions which arise at the time of the public body's meeting".

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